



Via ECF Filing
Honorable Vera M. Scanlon
United States District Court
Southern District Of New York
500 Pearl Street, Room 2230
New York, NY 10007

February 5, 2024

Re: Veleva v. Sebastian's Pizzeria Inc et al
Case No.: 1:24-cv-04930-MKV

Dear Judge Mary Kay Vyskocil:

I represent the Defendants in the above-referenced matter and submit this letter as a reply to the Plaintiff's Letter Response in Opposition to Motion for a Settlement Conference filed on February 5, 2025. The Defendants requested a settlement conference because they desire to settle the case. Plaintiff's counsel proposed a settlement amount that, with further negotiations, could appeal to the Defendants, other than purported legal fees requested by Plaintiff's Counsel, which the Defendants believe are excessive. Mr. DiGiulio has continued to convey that if the Defendants wish to accept the Plaintiff's offer for a settlement, they must do so before your Honor's Order regarding class certification. How the Plaintiff states that a settlement conference would not be fruitful is outlandish. The damages that the Plaintiff is seeking, regardless of very aggressive legal fees, are *de minimis*.

As for the Plaintiff's discussion of the Defendants' failure to respond to the Plaintiff's attempts at scheduling a deposition, the Defendants had no intention of avoiding any deposition. In fact, Defendants have not purposefully avoided Mr. DiGiulio's attempts at picking a deposition date. Deposition dates were recently provided. The Plaintiff did not want to conduct depositions until Defendants satisfied their discovery requests, which they have. I have alerted my clients as to the potential deposition dates and have yet to hear whether Defendant is available on those dates.

I thank your Honor for the time taken to review this letter response.

Respectfully submitted,

/s/ Mitchell Segal

Mitchell Segal

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